IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.718 OF 2004

T.K.C.Mohammed Ali ...Petitioner.
Versus
Maharashtra Housing and
Area Development Board
and Anr. ...Respondents.

....

Mr.R.S.Desai i/b. A.R.Patil, Advocates for the Petitioner.
Mr.G.W.Mattos, A.G.P., for Respondent Nos.1 & 2.

....

CORAM : **F.I.REBELLO AND**
SMT.V.K.TAHILRAMANI,JJ.

DATED : **JULY 27, 2006.**

P.C.:

1. It is the case of the petitioner that subsequent to filing of the petition, the petitioner has come across additional facts. The plot originally admeasured about 450 sq.mtrs. It is the case of the petitioner that he has now come to know that about thousand of square feet of the plot was used by the B.M.C. for the purposes of road widening and further in terms of the record maintained by the B.M.C., the plot is not commercial but zoned as residential.

2. Considering that, the learned Counsel seeks

leave to withdraw the petition with liberty to make representation to the Respondents for whatever relief he is entitled to, the petition is dismissed as withdrawn with liberty to make representation to respondent No.1. The petitioner to make representation to Respondent No.1 within two weeks from today. The representation to be addressed to the Chief Officer, Mumbai Housing and Area Development Board. On receiving such application, the Respondent No.1 to dispose of the same within eight weeks from today. In the meantime and for a period of 12 weeks from today the respondents not to take steps to evict the petitioner.

[F.I.REBELLO,J.]

[SMT.V.K.TAHILRAMANI,J.]